IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.2068 OF 1991

Indian Institute of Technology .. Petitioners
V/s
Dr.K.T.George and Anr. .. Respondents

Mr.Kishor Jain with Mr.A.I.Talegaonkar i/by M/s.Bhaishanker Kanga & Girdharlal for the Petitioners.

Dr.K.T.George respondent No.1 in person.

CORAM: S.RADHAKRISHNAN &
S.J.VAZIFDAR, JJ.
DATE : 22.9.2004.

P.C.:

1. Heard the learned Counsel for the Petitioners as well as the Respondent No.1 who appears in person. The detailed chequered history of the above matter has been set out in the synopsis filed by the learned Counsel for the Petitioners, in a very lucid manner. By this petition, the Petitioner - Indian Institute of Technology is challenging both the Awards viz.the Majority Award dated 19.12.1990 and the Minority Award dated 12.12.1990.

2. It appears that Dr.George - the Respondent No.1 herein, in a collateral proceedings taken out by him before the Division Bench of this Court, (viz.Appeal No.765 of 1991), had consented to be reinstated in the substantive post of senior Stenographer and had also agreed to join duties with the Petitioner Institute w.e.f.9th September, 1991. Accordingly, the Division Bench of this Court by its order dated 6.9.1991 had disposed of the said Appeal No.765 of 1991 by recording

the said understanding arrived at between the parties.

(2)

However, it appears that, the Respondent No.1 herein did not join the services of the Petitioner (Indian Institute of Technology) and thereafter sought to enforce the Award of the Umpire by filing another Writ Petition No.693 of 1992.

3. We have perused the order dated 27th April, 1992 passed by the Division Bench of this Court in Writ Petition No.693 of 1992. The Division Bench of this Court while dismissing the said petition filed by Respondent No.1 herein, has observed that the Respondent No.1 (Dr.George) had failed to join duties of the Petitioner though he had agreed to do so as recorded in the earlier order dated 6th September, 1991 passed in Appeal No.765 of 1991, in view thereof had dismissed the above Petition.

4. Under the aforesaid facts and circumstances, and in view of the aforesaid two orders passed by the Division Bench of this Court, there is no need to entertain this Petition at all. Accordingly the Rule stands discharged.

(S.RADHAKRISHNAN,J.)

(S.J.VAZIFDAR,J.)